

REMARKS

Claims 1, 3-10, 14 and 15 are pending in the application, with claims 1, 14 and 15 being independent claims.

Claims 1, 3-10, 14 and 15 stand rejected.

Claims 1, 8, 11 14 and 15 are amended by this amendment.

Claim objections

Claims 2-10 were objected to because it is allegedly unclear if the term “a method” in the claims relates to the method of claim 1. The applicant respectfully submits that the claims recite, “A method as claimed in claim 1” It is therefore very clear dependent claims 2-10 relate to the method of claim 1. Thus, the applicant requests withdrawal of this objection.

Claim 8 is amended to correct the antecedent informalities identified by the Examiner.

Claim 14 was objected to for allegedly not containing “a proper transitional phrase.” The applicant finds no requirement in the patent rules or MPEP that a claim contain “a proper transitional phrase.” Thus, the applicant requests withdrawal of this objection.

Drawings objections

The Office Action indicates that Figure 1 should be labeled with the legend “Prior Art”. OA, pp. 4. By this Amendment, Figure 1 is amended to include a “Prior Art” legend.

Figure 1 is objected to for use of reference numbers “161”, “162”, “168” and “169”. These reference numbers are consistent with the specification (see page 2, line 33). Thus, the applicant requests withdrawal of this objection.

Figure 2 is objected to for use of reference numbers “260”, “261”, “2631” and “2632”. These reference numbers are consistent with the specification (see page 6, line 9). Thus, the applicant requests withdrawal of this objection.

Figure 2 is objected to for missing reference number “200” and use of reference number “280”. By this amendment, the specification is amended to correct these informalities.

Rejections under 35 U.S.C. 101

The Office Action rejects claims 11, 12, and 14 under 35 U.S.C. 101 as allegedly directed to non-statutory subject matter.

By this amendment, claim 12 is cancelled. Thus, the rejection of claim 12 is moot.

Claim 11 is amended to recite “A computer readable medium including a computer program arranged to, when executed by a computer, perform the method as claimed in claim 1.”

Claim 14 is amended to recite “A hash datum representative of a multimedia signal embodied in computer readable memory.”

Support for these amendments is found at least at page 7, lines 1-4 of the present application. Thus, no new matter is introduced by this amendment.

Claims 11 and 14 recite statutory subject matter allowable under 35 U.S.C. 101. See Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility (Oct. 26, 2005) (http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf)

It is respectfully requested the rejection be withdrawn.

Rejections under 35 U.S.C. 102

The Office Action rejects claims 1-4, 6, 8, 11, 12, 14 and 15 under 35 U.S.C. 102(b) as allegedly anticipated by Iverson et al. (USP 5,852,664) (hereinafter “Iverson”). The applicant respectfully traverses this rejection.

Claim 1

Claim 1 is amended to place claim 2 (now cancelled) in independent form. Thus, claim 1 recites, in part, “selectively reading from the bit-stream

predetermined parameters, wherein said predetermined parameters relate to perceptual information of the multimedia signal.”

In rejecting claim 1, the Office Action argues the checksum of Iverson is considered the predetermined parameters. OA, pp. 6. The applicant respectfully submits such an interpretation of the claim cannot fulfill the additional requirement that the predetermined parameters relate to perceptual information of the multimedia signal. Specifically, there is no teaching in Iverson that the calculated checksum is related to perceptual information of the multimedia signal.

With respect to claim 2, the Office Action appears to argue that the checksum, as encoded data for a frame, relate to perceptual information of the multimedia signal. The applicant disagrees. Iverson discloses using the checksum to create a lock word restricting user access without regard to perceptual and non-perceptual information. Iverson, col. 3, ll. 30-32. In other words, Iverson makes no distinction between perceptual and non-perceptual information in generating the checksum.

According to MPEP 2131, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. As discussed above, claim 1 is clearly not anticipated by Iverson since there is no teaching of selectively reading from a bit-stream predetermined parameters, wherein the predetermined parameters relate to perceptual information of a multimedia signal.

Accordingly, applicant respectfully submits that claim 1 is allowable.

Claims 3, 4, 6 and 8

Claims 3, 4, 6 and 8 depend upon allowable claim 1 and are also allowable at least by virtue of their dependency therefrom and because each claim further recites distinguishing features.

Claim 14

Claim 14 recites, in part, “the hash datum having been generated by selectively reading predetermined parameters relating to perceptual properties of the multimedia signal from a bit-stream comprising a compressed version of the multimedia signal.”

As discussed above for claim 1, the Office Action argues the checksum of Iverson is considered the predetermined parameters. OA, pp. 6. The applicant respectfully submits Iverson discloses using the checksum to create a lock word restricting user access without regard to perceptual and non-perceptual information. Iverson, col. 3, ll. 30-32. In other words, Iverson makes no distinction between perceptual and non-perceptual information in generating the checksum.

Claim 14 is clearly not anticipated by Iverson since there is no teaching of selectively reading from a bit-stream predetermined parameters, wherein the predetermined parameters relate to perceptual information of a multimedia signal.

Accordingly, applicant respectfully submits that claim 14 is allowable.

Claim 15

Claim 15 recites, in part, “a decoder arranged to selectively read from the bit-stream predetermined parameters, wherein said predetermined parameters relate to perceptual information of the multimedia signal.”

As discussed above for claim 1, the Office Action argues the checksum of Iverson is considered the predetermined parameters. OA, pp. 6. The applicant respectfully submits Iverson discloses using the checksum to create a lock word restricting user access without regard to perceptual and non-perceptual information. Iverson, col. 3, ll. 30-32. In other words, Iverson makes no distinction between perceptual and non-perceptual information in generating the checksum.

Claim 15 is clearly not anticipated by Iverson since there is no teaching of selectively reading from a bit-stream predetermined parameters, wherein the predetermined parameters relate to perceptual information of a multimedia signal.

Accordingly, applicant respectfully submits that claim 15 is allowable.

Rejections under 35 U.S.C. 103

The Office Action rejects claims 5, 7, 9 and 10 under 35 U.S.C. 103 as allegedly obvious over Iverson in view of et al. in view of Haitsma et al. (WO 02/065782 A1) (hereinafter "Haitsma"). The applicant respectfully submits Haitsma does not qualify as prior art under 35 U.S.C. 103.

The present application has a priority date of June 24, 2002 based on European Patent Application No. 02077499.9. On the other hand, Haitsma has a publication date of August 22, 2002. Thus, Haitsma was published after the priority date afforded to the present application. For at least this reason, applicant respectfully submits that claims 5, 7, 9 and 10 are allowable.

Conclusion

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Entry of this amendment, reconsideration, and allowance of all the claims are respectfully solicited. In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

Respectfully submitted,

/Brian S. Myers/

By: Brian Myers,
Registration No.: 46,947

For: Larry Liberchuk,
Registration No.: 40,352

Mail all correspondence to:

Larry Liberchuk, Registration No. 40,352
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001

MARKUP SHEET

Please replace the paragraph starting at page 7, line 31 with the following paragraph:

Figure 2 shows a schematic diagram of an apparatus ~~200~~ arranged to receive such a bit-stream. The bit-stream is received at the input of the selective bit-stream decoder 210. The decoder 210 is arranged to selectively extract bits from the bit-stream relating to predetermined parameters of the multimedia signal. These predetermined parameters are then utilised to determine the hash function 280. In the preferred embodiment for a transform encoded audio signal, the scale-factors (and optionally the spectral values) per scale factor band are extracted from the bit-stream. These scale-factors and spectral values are subsequently processed in order to obtain energies. In principle the scale-factors alone give an estimate of the energies. The estimates are made more precise if the spectral values are also taken into account. In the simplest case, these values are then utilised to calculate the hash function.